

United States District Court District of Massachusetts

UNITED STATES OF AMERICA,

v.

CRIMINAL NO. 2013-10017-RWZ

(1) ALEXIS HIDALGO, ETC.,
(2) JONATHAN DASILVA, ETC.,
(3) JOHN ALVES, ETC.,
(4) HAMZA AWIL
(5) BENJAMIN BAPTISTA, ETC.,
(7) MAURICE BARNETT, ETC.,
(8) JACKSON BARROS, ETC.,
(11) JULIO COLLAZOS,
(12) ILTON CORREIA, ETC.,
(13) JERRY CORREIA
(15) ALEXANDER DASILVA, ETC.,
(16) JOSE DENIS, ETC.,
(17) CARLOS FERNANDES,
(18) MOISES FIGUEROA, ETC.,
(19) PATRICK GOMES, ETC.,
(20) HAMILTON LOPES, ETC.,
(21) LEAKANA OM,
(23) RUTH RIVERA-LOPES, ETC.,
(24) MORRIS ROBINSON
(25) MARTINHO RODRIGUES, ETC.,
(26) VICTOR SCOTT, ETC.,
(27) DULSILINA TAVARES, ETC.,
(28) CARL TAYLOR, ETC.,
Defendants.

FINAL STATUS REPORT
PURSUANT TO LOCAL RULE 116.5(B)(C)

COLLINGS, U.S.M.J.

A Final Status Conference was held on February 11, 2014 at Boston; counsel for each defendant appeared or was covered by another attorney.

The within Order is prepared pursuant to Local Rule 116.5(D). Using the numeration of matters listed in Local Rule 116.5(B), I report as follows:

- (1) Discovery is complete.
- (2) There is no outstanding discovery.
- (3) No further discovery requests will be made without first obtaining leave of Court.
- (4) No need for protective orders.
- (5) The following non-discovery pretrial motions¹ are pending:

(848) MOTION to Suppress as to Martinho Rodrigues.

(872) MOTION to Sever Count Ten (Charging Unlawful Possession of a Firearm) from Trial of the Drug Conspiracy Count

¹

Defendant Martinho Rodriguez has a pending motion to revoke the detention order issued by the undersigned. See #770. He also filed on May 6, 2014, a Motion for Release from Custody by Seeking to Carve Out and Expedite Ruling on Bail Motion [presumably #770], Etc. (#1010).

(Count One) as to Patrick Gomes.

(875) MOTION to Suppress Evidence as to Patrick Gomes.

(877) MOTION to Suppress as to Alexander Dasilva.

(896) MOTION to Dismiss Count Ten as to Patrick Gomes.

(898) MOTION to Suppress Evidence Re: Motor Vehicle Stop as to Hamza Awil.

(900) MOTION to Suppress Title III Wiretaps as to Hamza Awil.

(906) MOTION to Join Hamza Awil's Motion and Memorandum in Support to Suppress Title III Wiretaps (Dkt Nos.900-901) as to Patrick Gomes.

(908) MOTION to Suppress Wiretap Evidence and to Join Defendant Awil's Motion to Suppress Title III Wiretaps as to Maurice Barnett.

(913) MOTION To Join Motions to Suppress the Fruits of Interception of Wire, Oral, or Electronic Communications as to Hamilton Lopes.

(914) MOTION to Sever as to Hamilton Lopes.

(915) MOTION to Suppress Tit. III Wiretap Evidence and Join Motion filed by Hamza Awil as to Carlos Fernandes.

(916) MOTION prejudicial joinder as to Jonathan Dasilva.

(917) MOTION to Suppress Physical Evidence No. 2 (Warrantless Search of 27 Woodward Avenue) as to Jonathan Dasilva.

(918) MOTION to Suppress Physical Evidence No. 1 (Motor Vehicle at Roxbury District Courthouse as) to Jonathan Dasilva.

(919) MOTION to Suppress electronic surveillance and fruits thereof as to Jonathan Dasilva.

(920) MOTION To Join Motion to Suppress of Defendant DaSilva and Others as to Maurice Barnett.

(921) MOTION to Dismiss as to Jonathan Dasilva.

(922) MOTION to Suppress and adopt co-defendants' motions as to Alexis Hidalgo.

(924) MOTION to Suppress Wiretap Evidence as to Martinho Rodrigues.

(1004) MOTION to Suppress Search of 83 Nelson as to Jerry Correia.

(1005) MOTION to Suppress Wiretaps and to Join Co-Defendants' Motions as to Jerry Correia.

- (6) A schedule for disclosure of expert discovery has been set.
- (7) Other than an alibi defense by Jose Denis, no defense of public authority, insanity or alibi will be raised by any defendant.
- (8) *See* Seventh Order of Excludable Delay entered February 11, 2014.
- (9) Trial will last 10 days.
- (10) Not Applicable.

Using the numeration of matters listed in Local Rule 116.5(C), I report as follows:

- (1) No.

(2)(A)(B) *See* (1)(2), *supra*.

(2)(C) *See* (5), *supra*.

(2)(D) *See* Seventh Order of Excludable Delay entered February 11, 2014.

(2)(E) Unknown.

(3) At the Final Status Conference in February, the AUSA indicated that she expected all but five of the defendants to plead. *See* #839 at p. 2. Further inquiry should be made at the Initial Pretrial Conference since twenty-three defendants remain for trial at this point.

THE FILE IS RETURNED TO THE CLERK'S OFFICE WITH INSTRUCTIONS TO BRING THE CASE TO THE IMMEDIATE ATTENTION OF THE COURTROOM DEPUTY CLERK ASSIGNED TO JUDGE ZOBEL'S SESSION.

I RECOMMEND THAT CASE BE SET DOWN FOR AN INITIAL PRE-TRIAL CONFERENCE AND A HEARING ON THE PENDING MOTIONS AFTER MAY 19, 2014 WHICH IS THE DATE ON WHICH THE GOVERNMENT'S RESPONSE IS DUE.

The Clerk shall enter on the docket the fact that the case "is no longer referred to Magistrate Judge Collings."

/s/ Robert B. Collings

ROBERT B. COLLINGS

United States Magistrate Judge

May 7, 2014.